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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 18 OF THE CONVENTION

Second Periodic Reports of States parties

Addendum

AUSTRIA

V.89-62545

PART I

Austria ratified the Convention on the Elimination of All Forms of Discrimination Against Women in 1982 and prepared an initial report in 1983 (cf. CEDAW/C/5/Add.17 of 1 Nov. 1983). The initial report, which contained detailed information on equality between men and women at that time, was discussed with its supplements at the 4th meeting of CEDAW in Vienna (21 Jan. -
2 Feb. 1985, cf. A/40/45, Supplement No. 45).

The present second report builds on the first report and therefore confines itself to those measures which were taken in the years 1983 to 1988 towards achieving equal status for women,(as updated in the final editing in February 1989). It surveys legislative changes, consciousness-raising activities, special assistance programmes, incentives and initiatives as well as trends and problems. Moreover, the report contains a correction to the first report (see Article 11 para. 1(b)). The report was prepared by the State Secretariat
for Women's Affairs in cooperation with representatives of the various Ministries. It includes all information and final corrections submitted by the Ministries until 25 February 1989 inclusive.

In the period under review, an important element in the efforts to achieve the objective of equal rights for men and women in accordance with the provisions of the Convention was increasing public awareness. Therefore, consciousness-raising activities were pursued and expanded by the multiplicity of organizations seeking to promote equality, a multiplicity which is a structural characteristic of the situation in Austria. These organizational units established in various sectors at the federal and state levels exercised political and programmatic functions; they discussed action projects with the organizations representing women and other interests

involved, disseminated the conclusions drawn from the various studies to specific addressees, undertook the necessary actions, and monitored and evaluated them.

One important strategy was to integrate the issues of social justice associated with the achievement of equality with relevant programmes and programm budgets. Another important strategy continued to be the promotion of cooperation between organizations and bodies concerned with womens problems and interests and ever wider sections of the population, so as to ensure a deeper perception of the problem and thus achieve generally accepted ways of eliminating all forms of discrimination against women. Of political significance for these longer-term processes were the aims and intentions expressed by members of the Government and of Parliament.

Substantive areas of emphasis in activities

Efforts to remove any remaining forms of legal discrimination against women were consistently pursued in the period under review (e.g. the elimination of some persisting rôle-specific differences in school curricula).

In Austria, during the period under review, the most important areas for promoting the equal status of women were the translation of the equal rights guaranteed to women by law into social reality. One of the main areas of emphasis in this connection was in the field of vocational training and work (combatting the gender segregated labor market, promoting equal treatment on the job). Here, it must be noted that the situation in the public service is hardly comparable to conditions in the private sector. The former - traditionally- has to some extent the function of a model for the latter.

In addition to legislative action (widening the scope of equal treatment laws), information campaigns and specific assistance programmes and incentives, as well as counseling activities, efforts to change attitudes are of great importance in this context (e.g. eliminating prejudices with respect to occupational choices for girls). A large number of activities and programmes were launched and are being launched to strengthen the occupational position of women ("Daughters can do better", the special programme to assist women in federal employment, the Labor Market Policy Programme for Women).

One difficulty with which practically only working women (but not men) have to grapple is the compatibility of work with family responsibilities. Austria's schools are half-day schools, and the child-care facilities for small children (of two or three years) are not sufficient either - at least not outside the big cities.

Efforts to introduce women into all sectors of the occupational spectrum and to make traditional men's jobs accessible to women have been successful in the period under review. But for the time being, only a few women are able to reach the higher echelons of professional hierarchies. Education may be cited as an example. 61% of the teaching staff in Austria's schools are women. Although there are more women than men in the teaching profession, men occupy the majority of leading positions. In the country's secondary schools (secondary level I), the proportion of women principals is only 11%, in grammar schools it is 15%, and among regional school inspectors it is 13%.

In view of recent labor market trends (faster rise in the unemployment rate of women since 1986), the focused counseling and training of women is a new area of concentration in the work of the employment service. Another desideratum is giving women de-facto equality in the area of social security (minimum

safety net as regards rights to draw unemployment pay and emergency relief benefits).

"Violence against Women" was another main problem area which occupied the attention of organizations and agencies concerned with women's questions (the reform of criminal law in respect of sexual offences, the setting up of an Advisory Council on Sexism).

As regards their political representation, women are still far from achieving equality. Although women have been able in the period under review to increase their proportion in the National Assembly from 10.9% to 14.2%, this still does not mean that they participate in the political decision making process on equal terms with men. For this reason, a quota system was adopted within the Socialist Party in 1985.

Austria intensified its participation in international activities relating to women and in international organizations during the period under review (e.g. membership in the United Nations Commission on the Status of Women and greater participation in the Committee on Equatily of Women and Men of the Council of Europe). In Austria, these offorts included the creation of an inter-ministerial committee on international womens affairs in the State Secretariat for Womens Questions, and increased interministerial coordination in these areas.

Besides the (primarily legislative) measures which are explained in detail in Part II of this report, the activities of the State Secretariat for Women's Questions and of the divisions concerned with women's problems of the Federal Ministry of Labor and Social Affairs are of essential significance to the achievement of the aims of the Convention. Hence, a brief survey of the activities of these agencies should be given here.

- Sexual harassment in the office;
- Female activities long forgotten;
- Childcare facilities in Upper Austria;
- Not knowing where to go - research project with women from the fringes of society;
- Women working in automated offices;
- Girls in non-traditional professions;
- Family and the job;
- Working and health conditions of male and female workers in the textile and garment industry;
- International study on initiatives for the advanced training of women in the field of new technologies;
- Preparation of a project diary on a model course where jobless girls and boys may acquire basic skills in the field of handicrafts;
- Possibilities to take account of the interests of male and female workers in the organization of shift work; together with a study on the extent and trends of shift work. The aim of this project is, above all, to determine how significant working hours regulations are for harmonizing occupational and child-care responsibilities.

In a serial publication concerning the social and occupational position of women, another two research reports were published in the period under review:

- Women operating word processors - office rationalization;
- Equal treatment of women and men in terms of language - linguistic recommendations for treating women and men in the public sector equally in terms of language.

The Federal Ministry of Labor and Social Affairs also prepared one section of the "Report on the Situation of Women in Austria" published 1985 (No.3: The Job).

o In the special field of "General and International Affairs of Working Women", studies, information and educational activities were continued in the reporting period.

One of the key issues addressed together with other governemental bodies was the international agenda management for and of women's questions within the framework of the United Nations and the Council of Europe. Also, the organization of and participation in national and international symposia, inquiries, conferences and expert meetings were important for the promotion of equal opportunities for women.

The exchange of experience on the implementation of the Convention, which was organized within the framework of the Council of Europe and chaired by Austria, has shown that women often lack information on their rights and possibilities to assert these rights. The report of the results of the exchange of experience was distributed, which contains the guidelines for reporting procedures by the contracting states to the central authorities at the federal and state levels, the professional representative bodies and the women's organizations.

PART II

This part of the Report gives a survey of various measures taken by Austria to implement the Convention.

Article 2

In the reporting period it was possible in Austria to abolish existing legal regulations constituting discrimination against women. At the same time, measures were taken aimed at preventing de-facto discrimination against women.

Article 2 para.(2)

In 1988, the modification of the Federal Constitution and the Civil Service Regulations Act created the basis for the equal treatment of women in terms of language. Until then, the masculine gender was used exclusively for indicating functions and titles, which practically amounted to a linguistic non-existence of women. Now, functions and titles must be used in a manner indicating the sex of the person having that function or title.

Article 2 paras. (b) and (c)

In 1985, the Equal Treatment Act was amended, which had been adopted in 1979 and which prohibits any form of discrimination on account of sex when it comes to fixing payment; its scope was extended and it is now called "Law on the Equal Treatment of Women and Men in Working Life". Today, it also relates to

- the granting of voluntary fringe benefits, and
- basic training and advanced training measures within the companies.

In addition, the amendment contains a prohibition of gender-specific job announcements and obligates companies to submit a report to the Equality Commission if so requested (e.g. if

non-compliance with the Equal Treatment Act is suspected). Also, the granting of assistance funds by the federal government is now tied to the compliance with the Equal Treatment Act by the individual company.

If the Act is violated, both female and male employees, as well as the works council or one of the professional representative bodies mentioned in the law may appeal to the Equality Commission. Breaches of the equal treatment principle may, however, be brought directly before the courts, just like violations of other Labor Code regulations. Court judgments in which a violation of the equality principle is ascertained must be publicized by the Commission in the official bulletin of the Federal Ministry of Labor and Social Affairs.

Since the Equal Treatment Act entered into force on July 1, 1979, the Equality Commission has had a total of twenty two plenary meetings, and the working parties have had six. Of the 14 motions that were introduced, three were decided by the Commission and ten were withdrawn due to the elimination of the discriminating circumstances. One case, which was instituted ex-officio as nobody else was entitled to apply, was dismissed because the grounds for discrimination had been removed.

The labor market authorities have taken account of the Equal Treatment Act and its intentions in so far as since January 1986 vacancies have been announced in a sex-neutral way in all publications of the employment service.

In addition to conducting formal proceedings, the Equality Commission tries to raise the awareness of the general public by means of PR activities. For example, upon the initiative of its members a study was carried out on behalf of the FMLSA on the linguistic equality of women and men in the public sector. This study not only analyzes the problems of equality in the

German language but also makes recommendations for descriptions of occupations and titles, forms of address, descriptions of functions and job announcements and, moreover, contains palpable proposals for the language used in forms and questionnaires. The Federal Ministry of Education, Arts and Sport recommended the civil servants of the ministry and also the commissions in charge of reviewing teaching aids to take these proposals into account.

Even before the period under review, guidelines for the sex-neutral announcement of posts were issued for the federal service. As far as legal provisions already existed for announcing job vacancies, men and women were addressed equally. Several reviews have shown that discriminating job announcements hardly occur any more. From 1990 onward, the 1989 Act will govern job announcements for the federal service. Objectifying admission to the public service has led to two essential improvements for women: The labor market of the "public service" is becoming transparent and admission tests are of the same standard and are assessed according to the same criteria. The person evaluating the tests will no longer know the sex of the tested person. After successfully passing the test, the applicant is put on a list. The sequence of applications is determined by the date when the application was filed.

Article 2 para. (d)

Cf. Article 4 para.1: "Program for the Advancement of Women in the Federal Service" and "Labor Market Policy Program for Women".

Article 2 para. (c)

In January 1987, an Advisory Council on Sexism was set up within the framework of the State Secretariat dealing with discrimination against women in the media. Membership of the Council includes women from science, arts, literature, the media and advertising as well as representatives of women's organizations. The Council's activities consist in

- PR activities (sensitizing the general public to adverse presentations of women in the print and visual media; information on social contexts),
- documentation of discriminating presentations of women (exhibition, archive),
- protest activities against sexist presentations,

- promotion of media strategies that are free of aggression and sexism,
- preparation of suggestions for the collective right to sue in case of discriminating presentations of women (together with creation of sanctions).

Article 2 para.(f)

The Federal Act concerning Modifications of the Law of Persons, Marriage Law and Parents and Child Law (1983) simplified administrative procedures for remarrying women. Until then, women could remarry only if at least ten months had passed from the date of the termination of the former marriage - in order to remove any uncertainty as to the legitimacy of children that might be born during that time - or if a marriage licence was granted. Such de-facto discrimination against women has been eliminated.

Since 1983, women who are victims of sexual offenses have been questioned by female detectives, if possible, which is also the result of an initiative taken by the State Secretariat. To have women also on the police staff in rural areas, women have been trained as police officers ("gendarmerie"police force) since 1983. At present, there are 42 women on the gendarmerie staff in Austria.

The 1987 Penal Law Reform has improved the situation of women acting as witnesses in criminal proceedings against sexual offenders:

- Both before the investigating judge and in the trial, the (female) witness has the right to be accompanied by a person in whom she has confidence;
- before the facts about her personal life are discussed, the woman may move that the general public be excluded from that part of the trial; the court must pronounce the exclusion of the general public "if protectible interests prevail". Whether such protectible interests prevail is left to the discretion of the court;
- moreover, the court is obliged under an explicit provision to ensure that an open trial does possibly not lead to revealing the identity of the victim to a larger number of people;
- during the trial, photos must not be taken;
- basically, questions about "circumstances from the most private sphere of the witness" (former sex life of the witness) must not be raised; this provision, however, is limited by the addition "unless it appears to be indispensable under the specific circumstances".

The reform of penal law on sexual offenses was nearly completed in 1988. In contrast to the former legal situation, it will contain the following provisions:

- the offense and the sentence are to be made dependent not on the conduct of the victim (offering resistance) but of the offender (use of force),
- rape by the husband will entail the same punishment as rape in general.

Due to a modification of fiscal law in 1986, joint acquisition of housing property (up to a usable floor space limit of 150 square meters) was exempted from gift tax. Until then, the wife, unless earning money herself, had to pay gift tax for her share. The former provision contained a discrimination against non-working wives compared to working wives and was thus in

contravention of applicable family law according to which housework and gainful activity are considered equal contributions to the family income.

Article 4 para.1

Both the State Secretariat for Women's Questions and the Federal Ministry of Labor and Social Affairs concentrated their efforts in the reporting period on spreading the substance of the provisions of Article 4 para.1 of the Convention regarding "temporary special measures aimed at accelerating de facto equality between men and women". The FMLSA Division for General and International Affairs of Working Women, for instance, identified and analyzed such special measures for the comparative

study on positive action in favor of women carried out by the Council of Europe in 1984. In 1987, a pilot study in the German language was distributed in Austria to a variety of institutions, organizations and persons together with a second questionnaire in order to bring it up to date.

Further measures included:

The "Program for the Advancement of Women in the Federal Service", which was launched in 1981 and was initially to be terminated in 1985, was prolonged by decision of the Cabinet Meeting for an indefinite period in 1985. The program's aim is to provide active support to women in the federal service, focusing on two priorities:

- making technical sectors accessible to women,
- encouraging the promotion of women to leading posts.

In both respects, the program has been successful. It has been possible to get women into leading positions of the public administration and the judiciary - there are, for instance, two directors-general and a female president of the Administrative Court; women are also members of the Supreme Court and the Administrative Court. At the same time, it has been possible to

be borrowed free of charge.

In this context, mention may also be made of the resolution of the National Council of September 28, 1988, in which the federal government is called upon "to take care that discrimination against girls is eliminated in all fields of social life through legislative and political action".

With a view to creating new vocational opportunities for girls, the Commission for School Reform - which is one of the major advisory bodies in this field - thoroughly analyzed the situation of women and girls in the field of education in October 1988 and made palpable proposals how to combat rôle-specific behavior.

Article 5 para. (b)

This paragraph relates to the common responsibility of men and women in the upbringing and development of their children. In consideration of this fact, the Austrian parliament has been discussing an extension of the entitlement to maternity leave for years. According to current law, entitlement to maternity leave is restricted to women: dependently employed mothers (but not fathers) have the opportunity to take maternity leave until the child reaches the age of one and to return to their jobs thereafter. The extension of this legal entitlement - in the form of an optional or divided maternity leave - to the father has been under discussion for a while - both in the interest of the principle of equal opportunities for working women and in the interest of reducing the traditional division of tasks within the family. In 1986, the National Council (Lower House of Parliament) adopted the introduction of optional maternity leave; the legal regulation, however, was vetoed by the Federal Council (Upper House). Meanwhile, negotiations on a new regulation have been resumed in parliament.

In this connection, the public sector took advance action in 1988. The regulation of compensations payable to civil servants on termination of their services, which was exclusively designed for women but gave them only a superficial advantage, was formulated in a sex-neutral way; entitlement was reduced to the child completing its sixth year of age and - as an essential improvement which, for the time being, favors almost exclusively women - the time of employment necessary for getting an old age pension remains ensured as the employer is obliged to pay social insurance contributions to the insurance company of the private sector.

An essential improvement in respect of harmonizing professional and family responsibilities is the creation in 1985 of the opportunity for female civil servants to reduce their working hours by half for a duration of a total of four years during their careers. Women - and also men once paternity leave will be introduced - have a right to reduce their working hours for a total of two years) until the child completes the age of five. Already now, men and women in the federal service may apply for such a reduction (for not more than two years) if they have to care for family members, for instance. It may be mentioned that this sex-neutral possibility is almost exclusively made use of by women.

On January 1, 1988, the Act on Provisional Maintenance for Minors entered into effect. This Act provides that women get maintenance payments for their children fast - in concrete terms: Not as late as after completion of maintenance proceedings but already at the beginning. If the father does not comply with his duty to pay maintenance, provisional advance minimum maintenance may be paid out from the Family Burdens Equalization Fund.

Article 6

Efforts were made (primarily to settle legal questions) to include prostitutes in the general social security system. While prostitutes are liable to taxation, there has been no possibility so far to afford them coverage under the general health and pension insurance schemes.

Article 7 paras (b) and (c)

In the interest of the advancement of women, existing mechanisms at the national level were strengthened in the period under review, new ones were created and the powers of the bodies dealing with women's issues were expanded. The major improvements have been the following:

- In 1987, the Federal Chancellor entrusted the State Secretary for Women's Affairs with general powers for dealing with women's issues at the interministerial level.
- Reorganization, and thus upgrading, of the women's unit at the FMLSA into a higher ranking department.
- Creation of a women's unit at the FMEAS (with a budget of its own), in charge of discrimination against women (school girls, female teachers) in the field of education.
- Appointment of special commissioners for women's questions in some of the federal states.
- In the Vienna State Governmen one portfolio was expanded to include "Women's Questions".
- The employment services of Vienna and Lower Austria, together with other institutions, created a "Labor Market Counseling Service for Women".
- In 1987, an offensive was launched for establishing a network among autonomous women's projects.

Studies show that the political interest of the female population of Austria has increased sharply during the last two decades. While in 1969 53% of women said they were uninterested in politics, the figure was "only" 28% in 1986. A survey made in 1987 indicates that women below 30 have a greater political interest than men of the same age. Despite this fact, women are still rare in leading political positions. This applies both to legislative authorities as well as to political parties and professional organizations (e.g. trade unions). Gradually, it has been possible to increase the share of women in public political bodies:

In the National Council (Lower House), for instance, it increased from 10.9% to 14.2% in the reporting period. At present, there are 3 female members of government (just like in 1983). They are in charge of: the State Secretariat for Women's Affairs, the Federal Ministry of Education, Arts and Sport, the Federal Ministry of the Environment, Youth and the Family. In 1986, a woman was for the first time made president of the National Council.

We have seen from experience that slogans alone ("More Women into Politics") lead to no results, and therefore the Austrian Social-Democratic Party's (SPÖ) women's organization decided to adopt palpable goals and filed a motion to introduce the quota system. The formulation adopted by the SPÖ party convention and laid down in the party statutes says that when appointments to party posts are made or lists of candidates for public offices are prepared attention must be paid to the fact that the share of women corresponds to the share of female staff members, but not less than 25%. A report must be submitted to the competent party body on the compliance with this provision.

Indeed, it was possible in 1986 in Vienna to get more women into political positions when the municipal council and the local parliament were elected: The share of women of the

social-democratic faction of the municipal council is now 28% and 33% in the Vienna regional government.

For the first time in the history of Austria, the government met in closed session in May 1986, which was exclusively devoted to policies for women. Just like the State Secretariat for Women's Affairs, the Federal Ministry of Labor and Social Affairs prepared a comprehensive program for that occasion: "Measures and perspectives for the equal treatment of women". These measures focus on the choice of professions, training, employment and the labor market, new ways of child-care, models of internal training measures for equal treatment, working hours, working conditions and social law. The responsibility

for the implementation of these measures, however, was not fixed because of the general elections to the National Council. Until new decisions are taken, their implementation is one of the priorities of the activities of the Division for Basic Women's Affairs at the FMLSA.

Article 8

Admission to the diplomatic service as well as assignment to diplomatic posts has been open to women on an equal basis with men. For many years, women have been appointed to posts like ambassadors and consuls-general and have also had leading positions in the Federal Ministry of Foreign Affairs. An increase can also be observed in the number of women embarking on a diplomatic career.

In the interest of promoting equal opportunities and equality, Austria has been supporting endeavors made by international organizations such as the UN Secretariat, the UN Specialized Agencies, the Council of Europe and OECD.

Austria is also making use of the Vienna headquarters of the UN and cooperates closely and directly with the UN Division for the Advancement of Women.

In the interest of rendering mutual support in matters of the advancement of women, the State Secretariat initiated the preparation of a program dealing with the cooperation among Austrian institutions and bodies concerned with women's issues and the UN system. This cooperation has led to round-table talks and joint activities in the field of research, it comprises Austria's participation in UN expert seminars on women's issues as well as getting assistance for its policies of sensitizing the general public as well as the media for the international concerns of women. In this connection, mention may be made of the fact that within the framework of the State Secretariat, a working group was set up dealing with "international concerns of women".

Austria's activities at the international level regarding women's issues include the application for membership in international commissions, the organization and preparation of or participation in conferences and meetings.

The following activities are examples of this effort:

- Successful application by Austria for membership in the UN Commission on the Status of Women (CSW). Formal and informal preparation of the 1989 CSW Meeting - e.g. representation of Austria in an ad-hoc preparatory group for this meeting as well as information for Austrian experts on the goals and possibilities of this meeting through a representative of the UN Division for the Advancement of Women.

- Initiative for holding an international consultation "Women in Public Life" (1990/91).

- Participation of Austrian experts and observers in UN expert seminars for the implementation of the forward-looking strategies.

- Participation in the Committee on Equality of Women and Men of the Council of Europe.

- Participation in the "Women and Development" working group within the framework of the 1988 North-South Campaign as envisaged in the decisions of the Council of Europe and the European Community, in the European Coordination Committee of which Austria has the chair. This participation has led in Austria to some 25 events.

- Upon Austria's initiative it was decided to organize the 1988 Conference of International Members of Parliament at Barcelona concerning the question of the implementation of the goals of the forward-looking strategies.

- Participation in the OECD body "Women in Development". Upon recommendation of the OECD and in view of the implementation of the forward-looking strategies, the State Secretariat set up a working group "Women in Development" consisting of representatives of government agencies, non-governmental organizations and independent experts. Activities center on the advancement of women in the development process and the implementation of OECD guidelines at the national level. Furthermore, development projects are evaluated in respect of their effects on the female population.

Article 10 paras (b) and (c)

The fact that all types of schools are accessible for both sexes has been endorsed by the elimination of sex-specific school names (e.g. Institute of Economic Professions instead of Institute of Economic Professions for Women).

The 10th Amendment to the School Organization Act (1987) abolished some of the still existing sex-specific differences in the curricula:

- In secondary schools, participation in "home economics", which had been mandatory for girls only, is now compulsory for both sexes;
- in the 7th and 8th grades, the differentiation of handicrafts instruction (textile handicrafts for girls; technical handicrafts for boys) by sex has been abolished. Independent of sex, boys and girls may now choose between textile or technical handicrafts. This regulation is an important step toward equality. Already in 1985, an amendment to the School Organization Act provided that a group of instructors all of whom were women and, due to their training, were only allowed to teach "textile handicrafts" (formerly: "handicrafts for girls") and "home economics" were now given the opportunity to attend a preparatory training course enabling them to improve their qualifications and to take the teacher's examination and thus get better pay and be on an equal footing with the rest of the teachers instructing at compulsory schools. This possibility has so far been taken by about one third of the instructors concerned. The amendment to the School Organization Act not only removed one of the dead-end streets in the field of education but also eliminated the discrimination against female instructors of traditionally "female" subjects that had existed for many decades.

The 11th Amendment to the School Organization Act (1988) renamed the "Wirtschaftskundliches Realgymnasium für Mädchen" (secondary school emphasizing economic science for girls) "Wirtschaftskundliches Realgymnasium" leaving out "for girls". It was not only the name of the school type that was changed, but also the educational subjects that were modified (reduction of rôle-specific instruction).

Article 11 para.2 subpara.(a)

See Article 5 para.(b): Planned extension of entitlement to maternity leave.

Article 11 para.2 subpara.(b)

The study "Women's jobs, maternity leave and occupational reintegration" carried out on behalf of the Federal Ministry of Labor and Social Affairs in 1984 shows that only one fifth of dependently employed women avail themselves of the opportunity to return to their jobs after one year of maternity leave as provided under the maternity leave regulations.

Article 11 para.2 subpara.(c)

In 1987, the Federal Ministry of Labor and Social Affairs carried out a study on childcare facilities in Upper Austria (capacities, opening hours, what parents want). Its result: There is a need for childcare facilities that are open throughout school holidays and stay open longer during the day.

Within the framework of the labor market assistance scheme, a program was adopted to assist kindergartens with opening hours suitable to male and female employees. This program was improved in 1988. Childcare facilities with longer opening hourse, which meet the requirements of the employees, may receive assistance amounting to one half of the additional payroll costs over a period of three years. In the same way, initiatives launched by parents themselves may be granted assistance. Childcare benefits, that can be granted until the child is 12, are now the same for all of Austria. This allowance replaces in part or in whole expenses for putting the child into a kindergarten, another childcare facility or in the care of "daytime mothers". The benefits are to enable job-seeking women with children to take on a job or to participate in training schemes of the employment services; moreover, women who would lose their jobs because they have to look after the children, are to be given an opportunity to keep their jobs. In addition, assistance is also provided to "daytime mother" projects taking care of infants.

To reconcile job and childcare responsibilities (especially when the child is 2 or 3 years old) is often very difficult as childcare facilities for infants are hard to find outside the cities. How this problem is to be solved is still a matter of - very controversial - discussions. Opinions whether the parents of infants should be relieved of their job responsibilities or of childcare, and if so to what extent, differ greatly.

While a general reduction of working hours and the development of facilities substituting the family are demanded by some, there are others who want to try to solve the problem by means of a "child-raising allowance". In 1988, four Austrian federal states (Vorarlberg, Tyrol, Upper Austria and Lower Austria) introduced such an allowance. It is designed to benefit primarily low-income families with infants. The conditions for being granted such an allowance, its amount and the time during which it is paid vary from state to state. In Lower Austria, for instance, it may already be claimed after the first child, in Vorarlberg after the second and in Upper Austria and Tyrol after the third child. The Vorarlberg and Tyrolean regulations explicity demand that one parent is not gainfully active; in Tyrol and Upper Austria, the child-raising allowance is granted only during the child's second year of life, in Vorarlberg and Lower Austria during the second and third. Many bodies dealing with women's issues at the federal level, above all the State Secretariat, have pressed the point that this regulation, although formulated in a sex-neutral way, could also be used to keep women away from the labor market and thus be in contravention of equality provisions and would at any rate not help reconcile job and family responsibilities.

Article 13 para.(b)

Since early 1986, legal provisions have been in force governing the protection of the spouse who shares liability for a credit. This regulation is sex-neutral and is beneficial, as experience shows, mostly to women. In case of divorce, many women bearing

secondary liability for their husbands' credits are not able to meet the financial obligations vis-à-vis the bank. The new regulations now offers the possibility to turn the secondary liability of the spouse, upon request, into a deficiency guarantee.

In addition, the Act requires that borrowers (male and female) are thoroughly informed by the banks about their obligations.

Article 14 para.1

As regards the elimination of discrimination against women under the law of entail (succession upon death in rural communities), the government has prepared a draft.

Article 14 para.2 subpara.(b)

In 1982, protection of working mothers was extended to cover rural women (farmers) and self-employed tradeswomen in order to relieve them of their professional responsibilities eight weeks before and eight weeks after childbirth (and twelve weeks after premature births, multiple births and Cesarian sections). During this time, women are entitled to benefits enabling them to employ appropriately trained persons and to maternity benefits for employing farmhands. This legal provision, the duration of which was initially to end by 1984, was prolonged for an indefinite period, particular emphasis being placed on its health policy effect.

Article 14 para.2 subpara.(c)

The 13th Amendment to the Farmers Social Insurance Act is an important step toward improving the situation of rural women and toward recognizing their position in agricultural enterprises. The amendment takes account of the fact that the majority of farming enterprises is run jointly by the farmer and his wife. Since only the (male) farmers are registered as owners with the pension insurance institution as a rule, their wives have no pension of their own when they retire. The (sex-neutral) amendment now permits pensions to be split if proof can be furnished that the enterprise was jointly run for a total of 120 calendar months (as full-time job).

Article 14 para.2 subpara.(d)

Between January 1985 and June 1986, the State Secretariat, the Family Ministry and the Ministry of Agriculture funded an educational project for rural women in Upper Austria and Salzburg. Within the framework of seminars, rural women were trained for working in and with women's groups.

Article 16 para.1 subpara.(d)

In the course of the reform of the Youth Welfare Law, which was about to be completed at the end of 1988, discrimination against unmarried mothers vis-à-vis married mothers was to be eliminated. Before the enactment of the reform unmarried mothers were granted guardianship for their children only after filing an appropriate application. The law attempts to achieve equality between unmarried and married mothers in this respect.

Article 16 para.1 subpara.(g)

At present, the possibility is being discussed of reforming the names law. Since 1976, engaged couples may decide in Austria whether to keep his or her name as a common family name. The spouse whose name was not chosen as the common family name (which in more than 90% of the cases is the woman's name), has the right to add the previous name - after a hyphen - to the new family name. This regulation has met with increasing criticism, above all by professionally highly qualified women. Under section 4 of the Name Changing Act (1988), the spouse whose name was not chosen as the common family name may apply for keeping his/her former name if the changed name would entail unreasonable disadvantages in economic or social terms. As the changing of names - apart from economic and social consequences - is sometimes also considered a loss of identity and keeping one's former name is at present possible only after changing the name twice, alternatives are being considered to that complex regulation. The State Secretariat for Womens Affairs has held consultations with the Federal Ministry of

Justice concerning a possible expansion of the applicable legal provisions. It would be imaginable to create, in addition to existing regulations, the possibility that each of the partners keeps his/her name if desired, and the family name of the child is fixed only after it is born; in case of dispute, the mother's family name should also be the family name of the child.

Abbreviations:

FMLSA	**Federal Ministry of Labor and Social Affairs**
FMEAS	**Federal Ministry of Education, Arts and Sport**
FMSR	**Federal Ministry of Science and Research**
ÖBB	**Austrian Federal Railways**
SPÖ	**Austrian Social-Democratic Party**
VOEST	**United Austrian Highgrade Steel Works**